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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/866,923	05/30/2001	Chikara Murata	108421-00016	5150

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EXAMINER

CHANG, VICTOR S

ART UNIT PAPER NUMBER

1771

DATE MAILED: 03/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/866,923

Applicant(s)

MURATA, CHIKARA

Examiner

Victor S Chang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2004 and 07 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4,5 and 7-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,5 and 7-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Introduction

1. The Examiner has carefully considered Applicants' amendments and remarks filed on 12/2/2004 and 2/7/2005. Applicants' amendments to claims 1, 3, 6 and new claim 11 have all been entered.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Rejections Based on Prior Art

3. Claims 1, 2, 4, 5 and 7-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schroeder et al. (US 5820957) in view of Nishizawa et al. (US 6268704), and further in view of Miyashita et al. (US 5759643) and JP 2000265133 A (Abstract), generally as set forth in section 4 of Office action dated 9/8/2004, together with the following additional reasoning and response to argument.

It is noted that claim 1 has been amended to recite *inter alia* "said predetermined color of said adhesive layer being colored by a colorant comprising carbon black." Additionally, newly added claim 11 recites "wherein said anti-reflection layer is formed by a radiation curable resin."

With respect to the newly added element and Applicants' argument "Schroeder et al., Nishizawa et al., and Miyashita et al., do not teach or suggest "said predetermined color of said adhesive layer being colored by a colorant comprising carbon black" as

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required by claim 1.” (Remarks, page 5, second full paragraph), it is noted that JP ‘133 is directed to an anti-reflection film which comprises a transparent substrate, an adhesive layer on one side of the substrate, and an anti-reflection layer on the other side of the substrate (Abstract). JP ‘133 teaches that it is conventional to include coloring agents, such as carbon black, in a display device for adjusting the amount of transmitted light (paragraph 0002). Further, JP ‘133 expressly teaches that the anti-reflection film for neutral gray (i.e., achromatic) electronic displays is characterized by including carbon black in the adhesive layer (paragraph 0004). As such, in the absence of unexpected results, it would have been obvious to one of ordinary skill in the art to modify the anti-reflection film to also include carbon black in the adhesive layer, as taught by JP ‘133, motivated by the desire to improve the anti-reflection film by also adjusting the amount of transmitted light.

For newly added claim 11, it is noted that the previously relied upon Miyashita reference also expressly teaches an inherently photocurable (radiation curable) coating solution including an acrylic resin, which was prepared by diluting urethane acrylate oligomer with methacrylic acid monomer, and adding benzoin ether (a photoinitiator) to the diluent (column 8, lines 50-54).

Finally, it should be noted that while JP ‘133 is outdated by priority document JP 2000-126346 (05/31/2000), nevertheless in the absence of a certified translation, since JP ‘133 (09/26/2000) outdates the filing date (5/30/2001) of instant invention, the priority benefit of JP 2000-126346 has not been considered for this Office action.

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4. Claims 1, 2, 4, 5 and 7-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schroeder et al. (US 5820957) in view of Nishizawa et al. (US 6268704), and further in view of Miyashita et al. (US 5759643) and Hosotani (US 6114803), generally as set forth in section 4 of Office action dated 9/8/2004, together with the following additional reasoning and response to argument.

With respect to the newly added element of carbon black (see above) and Applicants' argument "Schroeder et al., Nishizawa et al., and Miyashita et al., do not teach or suggest "said predetermined color of said adhesive layer being colored by a colorant comprising carbon black" as required by claim 1." (Remarks, page 5, second full paragraph), it is noted that Hosotani's invention is directed to a color cathode ray tube (display device). In Fig. 5(b), Hosotani shows an anti-reflection cover film having homogeneously dispersed carbon black for lowering the optical transmittance, so that the optical transmittance can be made generally constant all over the screen. Additionally, Hosotani teaches that the film also contains blue and violet pigments for adjusting the color tones of the image (column 5, line 66 to column 6, line 23). As such, in the absence of unexpected results, it would have been obvious to one of ordinary skill in the art to modify the anti-reflection film, as taught by prior art (see Office action dated 9/8/2004), to also include carbon black in the adhesive layer, together with the other color tone adjusting pigments, as taught by Hosotani, motivated by the desire to adjust the amount of optical transmittance for improved viewing.

For newly added claim 11, the Examiner repeats the previously relied upon Miyashita reference expressly teaches an inherently photocurable (radiation curable)

coating solution including an acrylic resin, which was prepared by diluting urethane acrylate oligomer with methacrylic acid monomer, and adding benzoin ether (a photoinitiator) to the diluent (column 8, lines 50-54).

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor S Chang whose telephone number is 571-272-1474. The examiner can normally be reached on 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel H Morris can be reached on 571-272-1478. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Victor S Chang
Examiner
Art Unit 1771

3/4/2005